United States District Court Southern District of Texas ENTERED

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS BROWNSVILLE DIVISION

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Michael N. Milby, Clerk of Court By Deputy Clerk

OPINION & ORDER

BE IT REMEMBERED that on January 7, 2007 the Court **GRANTED** Defendant's Motion to Continue Jury Selection. Dkt. No. 38.

Jury selection in this case is currently set for January 8, 2007. Dkt. No. 22. Defendant's counsel, Oscar Alvarez, is scheduled to appear in Federal court, in the Northern District of Atlanta, on that same date. Dkt. No. 38. Therefore, if Defendant is to have continuity of counsel, the jury selection in this case must be continued. See 18 U.S.C. § 3161(h)(8)(iv). Thus, the date for jury selection will be moved, with the precise date to be determined at the final pretrial conference.

Based on the foregoing, the Court **GRANTS** Defendant's Motion to Continue Jury Selection. Dkt. No. 38.

DONE at Brownsville, Texas, this 2 day of January, 2007.

Hilda G. Tagle

United States District Judge